

**THE PHILADELPHIA HOUSING AUTHORITY
AGENDA FOR THE MEETING OF THE BOARD OF COMMISSIONERS
2013 RIDGE AVE.
PHILADELPHIA, PA 19121
THURSDAY, OCTOBER 19, 2023, at 3 p.m.**

- A. Call to Order** Lynette Brown-Sow, Chair of the Board of Commissioners
- B. Remarks** Kelvin A. Jeremiah, President & CEO
- C. Approval of Minutes** of the Board Meeting held September 21, 2023, as distributed.
- D. New Business**
1. **RESOLUTION AUTHORIZING CONVERSION UNDER THE RENTAL ASSISTANCE DEMONSTRATION PROGRAM OF TWO-HUNDRED TWENTY-TWO (222) UNITS IN SIX (6) DEVELOPMENTS FROM ANNUAL CONTRIBUTIONS CONTRACT OPERATING SUBSIDY TO PROJECT BASED SECTION 8 SUBSIDY**
- Greg Hampson
2. **RESOLUTION AUTHORIZING CONTRACTS FOR INTERIOR PAINTING SERVICES WITH MILESTONE CONSTRUCTION MANAGEMENT, INC.; HISPANIC VENTURES, INC.; W & W CONTRACTORS, INC.; CREATIVESCAPE, INC.; AND CLEAN HANDS PAINTING, LLC**
- Dave Walsh
3. **RESOLUTION AUTHORIZING CONTRACTS FOR FLOORING INSTALLATION SERVICES WITH R & D CREATIONS, LLC; MILESTONE CONSTRUCTION MANAGEMENT, INC.; CONTINENTAL FLOORING COMPANY; CREATIVESCAPE, INC.; AND HOT AND COLD MECHANICAL, LLC**
- Dave Walsh
4. **RESOLUTION ADOPTING AND APPROVING AMENDMENTS AND REVISIONS TO THE EMPLOYEE HANDBOOK**
- Kimberly Woods
5. **RESOLUTION AUTHORIZING SETTLEMENT OF LITIGATION**
- Laurence M. Redican
- E. Public Comment Period**

RESOLUTION NO. 1

RESOLUTION AUTHORIZING CONVERSION UNDER THE RENTAL ASSISTANCE DEMONSTRATION PROGRAM OF TWO-HUNDRED TWENTY-TWO (222) UNITS IN SIX (6) DEVELOPMENTS FROM ANNUAL CONTRIBUTIONS CONTRACT OPERATING SUBSIDY TO PROJECT BASED SECTION 8 SUBSIDY

WHEREAS, Philadelphia Housing Authority (“PHA”) has been participating in the Rental Assistance Demonstration (“RAD”) program; and

WHEREAS, PHA desires to increase the number of affordable housing units in the City of Philadelphia and has identified a need to partner with private and nonprofit entities to develop low-income housing through public-private partnerships; and

WHEREAS, project sponsors applied to PHA under its 2019 or 2020 Annual Contributions Contract (“ACC”) Operating subsidy Request for Proposal (“RFP”); and

WHEREAS, PHA awarded ACC Operating subsidy to A & Indiana Mill Redevelopment (for 36 of 48 total units), AWF Plaza (for 45 of 45 total units), Casa Indiana (for 50 of 50 total units), North 10th Philadelphia (aka Be A Gem Crossing) (for 41 of 41 total units), Rafael Porrata-Doria Place (for 30 of 30 total units), and West Mill Place (for 20 of 30 total units) (collectively “Developments”); and

WHEREAS, project sponsors applied for and received an allocation of nine percent (9%) low income housing tax credits from the Pennsylvania Housing Finance Agency for these Developments and had financial closings as ACC developments; and

WHEREAS, these Developments are in various stages of construction or are completed and operating as public housing sites; and

WHEREAS, the project sponsors for these Developments have requested to convert the Developments under RAD; and

WHEREAS, on April 15, 2021, the PHA Board of Commissioners approved an amendment to the 2022 MTW Annual Plan for Casa Indiana, which was approved by HUD on June 10, 2021; and

WHEREAS, on December 15, 2022, the PHA board approved a RAD Significant Amendment to the 2023 MTW Annual Plan for A & Indiana Mill Redevelopment, Allegheny West Foundation Plaza, North 10th Philadelphia (Be A Gem Crossing), Rafael Porrata-Doria Place, and West Mill Place, which was approved by HUD on January 10, 2023;

BE IT RESOLVED that the PHA President & CEO or his authorized designee is hereby authorized to take all reasonable and necessary actions to: a) submit certain RAD closing documents to the U.S. Department of Housing and Urban Development (“HUD”) for approval in connection with the RAD conversion of the public housing units in the Developments, including, but not limited to, the RAD Conversion Commitment, the Housing Assistance Payment Contract, the Use Agreement and such other documents as necessary or desirable to facilitate the closing of the RAD transaction (“RAD Closing Documents”); b) negotiate, finalize and execute, deliver and perform the obligations under such RAD Closing Documents once finalized and approved by HUD; c) obtain or facilitate all required government approvals under the RAD program; and d) take all actions as necessary or desirable to effectuate this resolution and provide the project based voucher payments to the Developments.

RESOLUTION NO. 2

RESOLUTION AUTHORIZING CONTRACTS FOR INTERIOR PAINTING SERVICES WITH MILESTONE CONSTRUCTION MANAGEMENT, INC.; HISPANIC VENTURES, INC.; W & W CONTRACTORS, INC.; CREATIVESCAPE, INC.; AND CLEAN HANDS PAINTING, LLC

WHEREAS, the Philadelphia Housing Authority ("PHA") has identified a need for interior painting services and a Request for Proposal was developed for the selection of companies to address fulfilling this requirement, according to established procedures and all applicable laws regarding public contracts; and

WHEREAS, the Request for Proposal was posted on PHA's website, advertised via local publications and chambers of commerce, mailed to qualified entities on PHA's Outreach List, and distributed to those who responded to the invitation; and

WHEREAS, the proposals were reviewed and evaluated by an evaluation committee and the supporting documents were reviewed by the Contracting Officer; and

WHEREAS, based upon the consensus evaluation and approval for presentation to the Board after additional review processes, including Board committee and resident leadership review, it is recommended that contracts be awarded to Milestone Construction Management, Inc.; Hispanic Ventures, Inc.; W & W Contractors, Inc.; Creativescape, Inc.; and Clean Hands Painting, LLC; and

WHEREAS, work is to be assigned to the five (5) awardees at the discretion of the Contracting Officer based on need, performance and other legitimate business factors, and may be altered within the terms of the contract at any time during the course of the contract at the discretion of the contracting officer; and

WHEREAS, it is recommended that the aggregate amount to be expended under the contracts shall not exceed fifty-eight million seventy five thousand dollars (\$58,075,000.00) with a two-year base period and three (1) one-year option periods, as follows:

- 1) The not-to-exceed aggregate amount for the two-year base period is twenty-three million two hundred thirty thousand dollars (\$23,230,000.00);
- 2) The not-to-exceed aggregate amount for the first one-year option period is eleven million six hundred fifteen thousand dollars (\$11,615,000.00);
- 3) The not-to-exceed aggregate amount for the second one-year option period is eleven million six hundred fifteen thousand dollars (\$11,615,000.00); and
- 4) The not-to-exceed aggregate amount for the third one-year option period is eleven million six hundred fifteen thousand dollars (\$11,615,000.00);

BE IT RESOLVED, that the Board of Commissioners hereby authorizes the President & CEO and/or his authorized designee(s) to conclude and execute contracts with Milestone Construction Management, Inc.; Hispanic Ventures, Inc.; W & W Contractors, Inc.; Creativescape, Inc.; and Clean Hands Painting, LLC for a total aggregate amount not to exceed fifty-eight million seventy five thousand dollars (\$58,075,000.00), subject to the availability of funds therefor, as set forth above, and to take all necessary actions relating to such contracts, including determining whether the options available under the contracts shall be exercised.

RESOLUTION NO. 3

RESOLUTION AUTHORIZING CONTRACTS FOR FLOORING INSTALLATION SERVICES WITH R & D CREATIONS, LLC; MILESTONE CONSTRUCTION MANAGEMENT, INC.; CONTINENTAL FLOORING COMPANY; CREATIVESCAPE, INC.; AND HOT AND COLD MECHANICAL, LLC

WHEREAS, the Philadelphia Housing Authority ("PHA") has identified a need for flooring installation services and a Request for Proposal was developed for the selection of companies to address fulfilling this requirement, according to established procedures and all applicable laws regarding public contracts; and

WHEREAS, the Request for Proposal was posted on PHA's website, advertised via local publications and chambers of commerce, mailed to qualified entities on PHA's Outreach List, and distributed to those who responded to the invitation; and

WHEREAS, the proposals were reviewed and evaluated by an evaluation committee and the supporting documents were reviewed by the Contracting Officer; and

WHEREAS, based upon the consensus evaluation and approval for presentation to the Board after additional review processes, including Board committee and resident leadership review, it is recommended that contracts be awarded to R & D Creations, LLC; Milestone Construction Management, Inc.; Continental Flooring Company; Creativescape, Inc.; and Hot and Cold Mechanical, LLC; and

WHEREAS, work is to be assigned to the five (5) awardees at the discretion of the Contracting Officer based on need, performance and other legitimate business factors, and may be altered within the terms of the contract at any time during the course of the contract at the discretion of the contracting officer; and

WHEREAS, it is recommended that the aggregate amount to be expended under the contracts shall not exceed seventy two million dollars (\$72,000,000.00) with a two-year base period and three (1) one-year option periods, as follows:

- 1) The not-to-exceed aggregate amount for the two-year base period is twenty-eight million eight hundred thousand dollars (\$28,800,000.00);
- 2) The not-to-exceed aggregate amount for the first one-year option period is fourteen million four hundred thousand dollars (\$14,400,000.00);
- 3) The not-to-exceed aggregate amount for the second one-year option period is fourteen million four hundred thousand dollars (\$14,400,000.00); and
- 4) The not-to-exceed aggregate amount for the third one-year option period is fourteen million four hundred thousand dollars (\$14,400,000.00);

BE IT RESOLVED, that the Board of Commissioners hereby authorizes the President & CEO and/or his authorized designee(s) to conclude and execute contracts with R & D Creations, LLC; Milestone Construction Management, Inc.; Continental Flooring Company; Creativescape, Inc.; and Hot and Cold Mechanical, LLC for a total aggregate amount not to exceed seventy two million dollars (\$72,000,000.00), subject to the availability of funds therefor, as set forth above, and to take all necessary actions relating to such contracts, including determining whether the options available under the contracts shall be exercised.

RESOLUTION NO. 4

RESOLUTION ADOPTING AND APPROVING AMENDMENTS AND REVISIONS TO THE EMPLOYEE HANDBOOK

WHEREAS, on June 15, 2012, by Board Resolution No. 11534, the Philadelphia Housing Authority (“PHA”) Board of Commissioners approved the creation of an Employee Handbook (“Handbook”), which has been modified a number of times, with the most recent amendments and revisions to the Employee Handbook having been by Board Resolution No. on October 22, 2022, effective November 1, 2022; and

WHEREAS, the Handbook sets forth the policies, practices and operational procedures of employees; and

WHEREAS, upon review of the Handbook, PHA has further determined that two policies of the Handbook need to be revised, as set forth below, with the revisions having been provided to the Board of Commissioners and reviewed with Resident Leaders:

1. Workplace Health and Safety Policy – Added refining language that indicates that the President & CEO has the authority to determine and direct the implementation of appropriate measures to promote good health, well-being, and safety for PHA’s staff, residents, and visitors; and
2. Fleet Policy - Updated for valid driver’s license verification; fleet department responsibilities; vehicle use records; and parking and traffic violations processes, and removed references to preventive maintenance for horticultural equipment.

BE IT RESOLVED that the PHA Board of Commissioners hereby approves and adopts the amendments and revisions to the Employee Handbook, as set forth above to include revisions to the two policies, with the revised Employee Handbook dated October 20, 2023, effective November 1, 2023, and further authorizes the President & CEO or his authorized designee to promulgate any operational procedures or supporting processes needed to implement the Employee Handbook, as well as to adopt or approve any future operational changes to practices, procedures, or processes developed by the Office of Human Resources that do not result in a material change to the provisions of the Employee Handbook.

RESOLUTION NO. 5

RESOLUTION AUTHORIZING SETTLEMENT OF LITIGATION

WHEREAS, Plaintiff brought a civil action seeking monetary damages against the Philadelphia Housing Authority ("PHA") and other defendants; and

WHEREAS, based on an evaluation of the case made by the Office of General Counsel ("OGC"), in cooperation with outside legal counsel and the insurer, PHA reached a comprehensive settlement agreement with the Plaintiff, to which PHA will contribute \$350,000, as more specifically set forth in the settlement agreement, in exchange for Plaintiff's release of all claims; and

WHEREAS, this resolution was discussed with the Board of Commissioners in executive session, in accordance with the Sunshine Act, 65 Pa. C.S.A. §§ 701 *et seq.*; and

WHEREAS, the settlement was determined by OGC, outside counsel, and the insurer, and represented to the Board in executive session, to be in the best interests of PHA;

BE IT RESOLVED, that Board of Commissioners hereby authorizes PHA's President & CEO and/or his authorized designee(s) to make payment in an amount not to exceed three hundred fifty thousand dollars (\$350,000.00), as more specifically set forth in the settlement agreement, to settle the litigation, as referenced above, and to take all other action necessary to conclude the settlement of the litigation and dismissal of the case, including executing the settlement agreement.